



Linda S. Adams
Secretary for
Environmental Protection

California Regional Water Quality Control Board
North Coast Region
William R. Massey, Chairman

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Arnold
Schwarzenegger
Governor

December 15, 2006

Mr. T. Scott Kelly
City of Ferndale
834 Main Street
Ferndale, CA 95536

Dear Mr. Kelly:

Subject: Section 401 Water Quality Certification Application

File: Ferndale, City of – Francis Creek Bank Stabilization/Flood Hazard
Mitigation Project (WDID No. 1B05013WNHU)

On May 11, 2005, the Regional Water Board issued Water Quality Certification for the Francis Creek Bank Stabilization/Flood Hazard Mitigation Project. The purpose of the project is to repair streambank erosion sites that were identified during the mitigation monitoring activities that are required by the Ferndale Flood Hazard Mitigation Project that was completed in October 2002.

On August 28, 2006, the Regional Water Board received your request to amend the May 11, 2005 Water Quality Certification to include work at an additional Francis Creek erosion site that was discovered at 512 Fern Avenue in Ferndale. The additional project involves installation of rock slope protection (RSP) along 30 feet of the Francis Creek streambank. A toe trench will be excavated at the base of the unstable bank and RSP will be placed in the trench and up to the top of the bank. A soil mixture will be added to the top of the RSP and planted with native riparian vegetation. On November 17, 2006, we posted information describing the additional project on the Regional Water Board's website for a 21-day public review and comment period. We did not receive any public comments on this project.

In response to your request, this letter serves as an amendment to the Clean Water Act Section 401 Certification (certification) for the Ferndale, City of – Francis Creek Bank Stabilization/Flood Hazard Mitigation, allowing implementation of the additional project located at 512 Fern Avenue, and an extension of the authorization of this certification for an additional period of one year, as outlined below:

California Environmental Protection Agency

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Filled or Excavated Area: The area permanently impacted by the project increased from 0.11 acre to 0.12 acre due to the additional project

Total Linear Impacts: The length of streambank permanently impacted by the project increased from 206 feet to 236 feet due to the additional project

Expiration: The authorization of this certification for any dredge and fill activities has been extended from the previous expiration date of October 15, 2006, to October 15, 2007. Conditions and monitoring requirements outlined in this certification are not subject to the expiration date outlined above, and remain in full effect and are enforceable.

I hereby issue an amendment to the Project Description, Filled or Excavated Area, Total Linear Impacts, and Expiration sections of the Ferndale, City of – Francis Creek Bank Stabilization/Flood Hazard Mitigation Project Water Quality Certification Order (WDID No. 1B05013WNHU), certifying that the remainder of the Water Quality Certification sections of the Order are still valid.

If you have any questions or comments, please contact Dean Prat at (707) 576-2801.

Sincerely,

Catherine E. Kuhlman
Executive Officer

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cc: Ms. Jane Hicks, U.S. Army Corps of Engineers, Regulatory Functions, 333
Market Street, San Francisco, CA 94599
U.S. Army Corps of Engineers, District Engineer, P.O. Box 4863, Eureka, CA
95502